



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/314,330	05/19/1999	ARTURO MARIA	113306	5017

23838 7590 06/07/2004

KENYON & KENYON
1500 K STREET, N.W., SUITE 700
WASHINGTON, DC 20005

EXAMINER

JACKSON, JENISE E

ART UNIT	PAPER NUMBER
----------	--------------

2131

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/314,330

Applicant(s)

MARIA, ARTURO

Examiner

Jenise E Jackson

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Paulsen et al.
3. As per claims 1, 3-4, 11, 15, Paulsen et al. discloses receiving at a network node, a request to assume the identity of the network node(see col. 3, lines 33-40, 54-61); detecting whether the request originates with a user having a permissible virtual identity characteristic(see col. 5, lines 16-25); and if the user has a permissible virtual identity characteristic, sharing the identity of the network node with the user(see col. 5, lines 16-25, col. 15, lines 59-67), wherein the network resources permit access to resources by the user as if it had the network node identity(see col. 3, lines 33-40, col. 5, lines 16-25, col. 15, lines 59-67, col. 16, lines 16-21, 46-50) . The Examiner asserts Paulsen et al. discloses more than one user to make a request for access to a network resource, because Paulsen et al. discloses a network, thus more than on user can be connected, in order to make a request(see col. 4, lines 22-30). Paulsen et al. inherently discloses that the users are assigned a pre-authorized machine during overlapping times(see col. 5, lines 9-30).
4. As per claims 2, 13, 17, Paulsen et al. discloses receiving at a preauthorized machine, from a first user a request to access a network resource; detecting whether the first user is

Art Unit: 2131

authorized to access the network resource; and if the step of detecting indicates that the first user is authorized, assigning the first user the identity of the preauthorized machine(see col. 5, lines 16-25, col. 16, lines 16-21).

5. As per claims 5-6, Paulsen et al. discloses receiving an identifier associated with the first user(see col. 7, lines 31-50); comparing the received identifier to a table of authorized identifiers inherent in authentication(see col. 11, lines 15-65); and determining whether the received identifier matches any of the authorized identifiers based on the results of the comparing operation(see col. 7, lines 31-50).

6. As per claim 7, limitations have already been addressed see claims 1 and 5. The requestor is the user(see above). Also, Paulsen et al. discloses that the computer are connected to the internet, the Examiner asserts that the host is the web server(see col. 4, lines 22-26).

7. As per claims 8-10, the Examiner asserts that Paulsen et al. discloses many nodes on the network(see col. 5, lines 9-12). The Examiner asserts that it is inherent that these nodes can request access to the same resources on the network, such as the printer disclosed in Paulsen(see col. 5, lines 13-16), or could request different resources.

8. As per claims 11, 16, Paulsen et al. discloses many network nodes(see col. 5, lines 9-12), the Examiner asserts that one of these nodes is an Internet service provider because Paulsen discloses the Internet.

9. As per claims 14, 18, Paulsen et al. inherently discloses the virtual machine has plurality of logical ports through which a request from the user many be received, because Paulsen discloses a virtual private network(see col. 4, lines 22-26).

Response to Amendment

10. The Applicant states that Shorter fails to disclose providing the network resource with the identity of the network node in the place of identity of the user. The Examiner disagrees with the Applicant, Shorter discloses that the userid are from a pool or userid, that are not associated with one particular user. Therefore, the user's identity is not known. Shorter, discloses that in prior art the dedicated virtual machine that was named the userid of the user, was to store the current terminal address of the user(see col. 5, lines 48-50). Shorter, discloses that this dedicated machine has effectively been eliminated and replaced by a pool of virtual machines which are not permanently associated with either one user or one terminal(see col. 5, lines 50-62).

11. The Applicant states that Shorter does not assign the first user identity of the preauthorized machine. The Applicant also states that Shorter only discloses records the identity of the user to whom a new virtual machine has been allocated. Shorter discloses maintaining the separate identity of the user throughout execution of the user's selected application program. The Examiner disagrees with the Applicant that Shorter does not assign the first user identity of the preauthorized machine. Shorter does disclose this, because Shorter discloses that that the virtual machines are dynamically assigned to a user, and these machines are not tied to one particular user(see col. 5, lines 19-62).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (703) 306-0426. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.


Art Unit: 2131

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-0040 for regular communications and (703) 308-6306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



May 25, 2004



AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100